

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

**M.J. ALLEN, INC., and ALLEN  
ENGINEERING CORPORATION**

**PLAINTIFFS**

**V.**

**NO. 3:03-CV-00177 GTE**

**AABACO HOLDING, LTD., d/b/a  
HEAVY EQUIPMENT MANUFACTURING**

**DEFENDANT**

**ORDER**

The Court previously removed this case from the Court's trial docket<sup>1</sup> based upon the parties' representation that the matter had been resolved by agreement. Since that time, the Court has made numerous phone calls inquiring as to the status of the case. The Court has been advised several times that the parties were in the process of finalizing settlement documents but that an Order of Dismissal would be forthcoming. No such Order has been submitted; nor have the parties given the Court permission to dismiss the case.

The Court *sua sponte* directs the parties to confer and to advise the Court not later than **November 30, 2005**, whether (1) this matter may be dismissed with prejudice; or (2) the case may be placed back on the trial docket for the week of February 27, 2006.

IT IS SO ORDERED this 15<sup>th</sup> day of November, 2005.

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/s/Garnett Thomas Eisele  
UNITED STATES DISTRICT COURT

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<sup>1</sup> This case was previously scheduled for trial on January 24, 2005.